

Construction Contract Review and other services

Our team offers services to support our clients' compliance while construction laws are undergoing significant reform.



Related Expertise

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Construction laws in Canada are undergoing significant reforms at both the federal and provincial levels. Based on our current advisory work for our clients — which includes advising on transition provisions and revising contracts and templates for consulting services and construction, as well as updating various procurement documents — industry participants, including owners, contractors, design professionals, subcontractors and others, would be well-advised to review and update their existing commercial agreement forms and ensure they comply with new amendments, including prompt payment, mandatory adjudication, AFP projects and other technical amendments relating to holdback, liens, bonds and trusts.

More importantly, we are also being asked to advise clients on the necessary changes to internal procedures amongst their various divisions (e.g., between procurement, project, finance and accounts payable) to ensure compliance under the new rules and to stay on top of the inevitable adjudications that will start to occur.

In anticipation of these changes, Osler has developed the following types of service offerings for our clients:

- prompt **transition advice** on which version of the law will govern your existing or upcoming project;
- efficient and cost-effective **review of your existing contracts or contract templates and updating them** to comply with the amendments in your region;
- access to our **online tool** to assist organizations in self-managing issues of importance, such as identifying dates for payments and payment notices;
- **best practices training**, such as the development of a "playbook," to put your organization in the best possible position to manage the various forms of payment-related notices with an accelerated payment cycle as well as handling dispute resolution under the new adjudication regime; and
- **adjudication support**, whether you are responding to or initiating an adjudication.

Our team is offering these services under alternative fee arrangements so that staff are adequately trained, existing projects are not disrupted mid-performance, new projects are properly structured, and contracts are compliant.

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